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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 CURTIS L. DOWNING,

11 Petitioner,

12 vs.

13 BRIAN E. WILLIAMS, *et al.*,

14 Respondents.  
15

Case No. 2:14-cv-01971-JAD-PAL

**ORDER**

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17 This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254  
18 by a Nevada state prisoner.

19 Petitioner has filed a motion to proceed *in forma pauperis*. (Doc. 1). Based on the  
20 information regarding petitioner's financial status, the Court finds that the motion to proceed *in*  
21 *forma pauperis* should be granted. The petition shall now be filed and served on respondents.

22 **IT IS THEREFORE ORDERED** that the application to proceed *in forma pauperis* (**Doc.**  
23 **1)** is **GRANTED**.

24 **IT IS FURTHER ORDERED** that the Clerk shall **FILE and ELECTRONICALLY**  
25 **SERVE** the petition upon the respondents.


26 **IT IS FURTHER ORDERED** that respondents shall have until June 22, 2015 to answer or  
27 otherwise respond to the petition. In their answer or other response, respondents shall address all  
28 claims presented in the petition. Respondents shall raise all potential affirmative defenses in the

1 initial responsive pleading, including lack of exhaustion and procedural default. **Successive**  
2 **motions to dismiss will not be entertained.** If an answer is filed, respondents shall comply with  
3 the requirements of Rule 5 of the Rules Governing Proceedings in the United States District Courts  
4 under 28 U.S.C. §2254. If an answer is filed, petitioner shall have **45 days** from the date of service  
5 of the answer to file a reply.

6 **IT IS FURTHER ORDERED** that any state court record exhibits filed by respondents  
7 shall be filed with a separate index of exhibits identifying the exhibits by number or letter. The  
8 hard copy of all state court record exhibits shall be forwarded, for this case, to the staff attorneys in  
9 the **Reno** Division of the Clerk of Court. The hard copy of all exhibits submitted to the Court shall  
10 be tabbed and shall be bound along the top edge of the pages.

11 **IT IS FURTHER ORDERED** that, from this date forward, petitioner shall serve upon the  
12 Attorney General of the State of Nevada a copy of every pleading, motion, or other document he  
13 submits for consideration by the Court. Petitioner shall include with the original paper submitted  
14 for filing a certificate stating the date that a true and correct copy of the document was mailed to the  
15 Attorney General. The Court may disregard any paper that does not include a certificate of service.  
16 After respondents appear in this action, petitioner shall make such service upon the particular  
17 Deputy Attorney General assigned to the case.

18 Dated: May 8, 2015.

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21 UNITED STATES DISTRICT JUDGE  
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